



WEB COPY



CrI.O.P.No.4231 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CrI.O.P.No.4231 of 2026

M.Sulaiman

... Petitioner

Vs.

1.The State represented by
The Inspector Police,
Kandili Police station,
Thirupathur District.
(Crime No.333 of 2025)

2. Naziya Anjum

... Respondents

PRAYER: Criminal Original Petition is filed under Section 528 of Bharatiya
Nagarik Suraksha Sanhita/Section 482 Cr.P.C., to call for the records of the
Impugned FIR registered in proceedings pending in Crime No.333 of 2025 on the
file of the 1st Respondent police.

For Petitioner : Mr.W.Camyles Gandhi

For R1 : Mr.S.Santhosh
Government Advocate (CrI.Side)

For R2 : Ms.R. R.Karthikayini



ORDER

This Criminal Original Petition has been filed seeking to call for the records of the impugned First Information Report registered in proceedings pending in Crime No.333 of 2025, on the file of the first respondent and to quash the same.

2. Based on the complaint given by the *de facto* complainant/R2, the aforesaid case in Crime No.333 of 2025, was registered for the offence under Section 69 of the Bharatiya Nyaya Sanhita, 2023.

3. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the first respondent and the learned counsel appearing for the second respondent.

4. Learned counsel appearing for the petitioner would submit that both the petitioner and the *de facto* complainant belong to Muslim religion and they are known to each other. He would submit that there was consensual relationship between them and later, due to misunderstanding, the petitioner had not spoken to the *de facto* complainant, which resulted in the registration of the case. He would submit that due to the intervention well-wishers and elders, the parties have arrived at compromise. He would submit that the petitioner has married the *de*



facto complainant and marriage has also been registered at the Sub-Register's

Office, Pennagaram on 02.02.2024. He would submit that the petitioner and *de*

facto complainant have filed consent affidavits for compromising the matter.

Therefore, when the parties have compromised the matter, no useful purpose will be served by continuing the impugned proceedings; hence, the impugned proceedings may be quashed on the ground of compromise.

5. The petitioner stated that he has settled the dispute with the *de facto* complainant amicably and hence, seeks to quash the First Information Report. They have also filed an affidavit and a Joint Memo of Compromise to that effect.

6. The petitioner and the *de facto* complainant/R2 appeared before this Court and were identified by their respective counsel.

7. On being enquired by this Court, the *de facto* complainant stated that she has amicably settled the dispute with the petitioner and she is not willing to pursue the criminal proceedings and therefore, seeks to quash the same.

8. Learned Government Advocate (Crl.Side) appearing on behalf of the first respondent submitted that based on the complaint given by the *de facto* complainant, the case was registered. He would further submit that though the



parties have entered into a compromise while this case is pending, this Court, taking into account the seriousness of the offence, has to consider the issue as to whether an offence of this nature can be quashed on the ground of compromise between parties.

9. Learned counsel appearing for the *de facto* complainant/R2 would submit that the parties have compromised the matter, pursuant to which, the petitioner have also married the *de facto* complainant and they are living as husband and wife.

10. The main issue that requires the consideration of this Court is as to whether this Court can quash the criminal proceedings involving non-compoundable offences pending against the petitioner. The Hon'ble Supreme Court, in the case of ***Parbathbhai Aahir @ Parbathbhai Vs. State of Gujarat***, reported in **(2017) 9 SCC 641**, has given sufficient guidelines that must be taken into consideration by this Court while exercising its jurisdiction under Section 482 of Cr.P.C, to quash non-compoundable offences. One very important test that has been laid down is that the Court must necessarily examine if the crime in question is purely individual in nature or a crime against the society with overriding public interest. The Hon'ble Supreme Court has held that offences against the society with overriding public interest even if they get settled between the parties, cannot be



CrI.O.P.No.4231 of 2026

quashed by this Court.

WEB COPY

11. In the present case, the offences in question are purely individual/personal in nature. It involves dispute between the petitioner and the second respondent and quashing the proceedings will not affect any overriding public interest in this case and no useful purpose will be served in continuing with the criminal proceedings.

12. In view of the above, this Court is inclined to quash the First Information Report registered in Crime No.333 of 2025 pending on the file of the first respondent, in exercise of its jurisdiction under Section 482 of Cr.P.C.

13. Accordingly, the First Information Report in Crime No.333 of 2025 pending on the file of the first respondent is quashed as against the petitioner and this Criminal Original Petition is allowed. The affidavit and the Joint Memo of Compromise filed by the petitioner and the second respondent, for compromising the offence shall form part of the records.

18.02.2026

dsm

Neutral Citation: Yes/No



WEB COPY



Crl.O.P.No.4231 of 2026

A.D.JAGADISH CHANDIRA, J.

dsn

To

1. The Inspector Police,
Kandili Police station,
Thirupathur District.
2. The Public Prosecutor,
High Court of Madras.

Crl.O.P.No.4231 of 2026

18.02.2026